

Remarks/Arguments

Reconsideration of this application is requested.

Extension of Time

Enclosed is a request for a one month extension of the period within which to respond to the Office Action mailed on September 20, 2004. The extended period for response expires on January 20, 2005.

Claim Status

Claims 1-13 were previously presented in this application. By this amendment, method claims 5-13 are canceled, without prejudice, and are being submitted for consideration in a separately-filed divisional application. Claim 1 is amended. Accordingly, after entry of this amendment, claims 1-4 are pending.

Title

The title is amended to reflect that only apparatus claims remain pending in this application.

Claim Rejections – 35 USC 103

Claims 1-4 are rejected under 35 USC 103(a) as being obvious over Sakemi et al. (USP 5,890,283), and as being obvious over Nakazato (US 5,768,775). In response, claim 1 is amended to clearly distinguish over Sakemi and Nakazato.

Sakemi and Nakazato have been discussed at length during prosecution of this application, and need not be summarized again. The Examiner's position, set forth in the previous action, is that touch sensor 43 of Sakemi and Nakazato is inherently rigid and could serve as a lower stop. Applicant continues to maintain that a touch sensor is not employable as a rigid lower stop against which something is clamped, and would very likely break and cease to function if employed for such purpose. However, to eliminate any arguable correspondence to the structure of Sakemi and Nakazato, applicant has further amended claim 1 to clarify its distinction relative to these references.

Claim 1 is amended to recite that "the clamping device is configured to clamp the head against the lower positioning stop with a sufficiently strong force to


prevent vibration of the head during movement of the head". As previously discussed, the cited references do not teach a "clamping device" of the type disclosed and claimed by applicant. Even more clearly, these references do not teach a clamping device that is configured to clamp the head against the lower positioning stop with a sufficiently strong force to prevent vibration of the head during movement of the head. Sakemi and Nakazato do not even acknowledge the problem of vibration during head movement, and cannot be said to teach a clamping device configured to clamp the head against a lower positioning stop with sufficiently strong force to prevent such vibration. Sakemi's and Nakazato's mere disclosure of a lower touch sensor 43, from which the head immediately recoils upon contact, does not teach or suggest this limitation.

Conclusion

Applicant submits that this application is now in condition for allowance. The Examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Please charge any fees due with this response to our Deposit Account No. 50-1314.

Respectfully submitted,
HOGAN & HARTSON L.L.P.

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